

Exhibit 63

STATE OF TEXAS, ET AL. v. UNITED STATES OF AMERICA, ET AL.
Angelo Onofri on 06/25/2018

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF TEXAS
3 BROWNSVILLE DIVISION

4 STATE OF TEXAS, et al.,)
5 Plaintiffs,)
6 v.)
7 UNITED STATES OF AMERICA, et al.,)
8 Defendants,)
9 and) Case No.:
10) 1:18-cv-00068
11 KARLA PEREZ, et al.,)
12 Defendant-Intervenors.)

13
14
15 Deposition of ANGELO J. ONOFRI,
16 ESQUIRE taken pursuant to notice, held at the
17 25 Market Street, Sixth Floor, Trenton, New
18 Jersey 08611 commencing at 9:06 a.m., on the
19 above date, before Jennifer P. Miller, RPR,
20 CCR, CRR #30XI00235100 and Notary Public.

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1 undocumented population also. As I mentioned
2 in my declaration, I've done hundreds and
3 hundreds of these events and I've had occasion
4 where as part of the U visa process at a lot of
5 these community events where an individual or
6 an advocate has approached me and, you know,
7 asked about a legal issue and does it matter
8 whether I have documentation or not. And our
9 goal has always been to try to build a comfort
10 level for -- for the immigrant and undocumented
11 population to cooperate with law enforcement.

12 Q. Sure. I'm not trying to pick you on
13 you. I'm trying to get the bases for this. As
14 you sit here today, can you recall one specific
15 conversation with any DACA recipient?

16 A. Again, I'm sure I had them but, no, I
17 can't recall the specifics of any conversation.

18 Q. Okay. Let's go to your declaration.

19 A. Sure.

20 Q. It's Exhibit 1.

21 A. Is it okay to look at or --

22 Q. Yes. Go right ahead. All right.

23 I'm going to kind of walk through it. The way
24 I do this is I'll read it for the record I'll
25 ask you to confirm if I generally read it

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1 about reporting crime whether they were a
2 victim or a witness.

3 BY MR. BIGGS:

4 Q. Are these community forums that you
5 discussed one way for your office to help
6 individuals trust law enforcement more?

7 A. It is.

8 Q. Do you believe that these community
9 forums have been successful at educating
10 individuals about the U visa process?

11 A. I'd like to think they are.

12 Q. Do you believe that these community
13 forums have helped build trust between law
14 enforcement and the undocumented population in
15 Mercer County?

16 A. I do.

17 Q. Do you believe these community forums
18 help rid your particular county of the fear of
19 law enforcement in reporting crimes?

20 A. I'd like to think that it's helped,
21 yes.

22 Q. These advocacy groups that you
23 mentioned earlier, generally speaking, do you
24 regard them as doing a good job in helping the
25 community apply for U visas and trust police?

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1 individual that is an informant as to a
2 criminal enterprise. It may be more along the
3 lines for the feds to use that. So is that
4 something you've had to use in your office at
5 all?

6 A. No, it isn't.

7 Q. Do you use any of these specialized
8 visas to protect your informants?

9 A. I'm not aware of us using an S visa.
10 Again, the T visa is -- I guess you could
11 consider the victim at times an informant for
12 how the operation works, but we've done I think
13 maybe only one of those. And the U visas
14 are -- I don't think there's an appropriate use
15 of the U visas for an informant, unless it's a
16 confidential informant, like you said, that
17 brings a ring down.

18 Q. Does your office do anything to
19 protect informants from an outing of their
20 immigration status in any way?

21 MR. HOLLANDER: Objection.

22 THE WITNESS: I'm not aware of
23 anything that we do along those lines.

24 BY MR. BIGGS:

25 Q. Let's back up to U visas. Do you

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1 believe that U visas help build trust between
2 the undocumented community and law enforcement
3 in Mercer County?

4 A. I do believe they help, yes.

5 Q. Do you believe T visas help build
6 trust between the undocumented population and
7 law enforcement in Mercer County?

8 A. With the very limited experience, I
9 do think that T visas did help because the
10 concern of that particular victim was the
11 trafficker had actually said that they were
12 going to get her sister and put her through the
13 same process. So once she found that the
14 family could come, I think that did help the
15 cooperation.

16 Q. Let's go to the second one,
17 paragraph 2.

18 A. Sure.

19 Q. "During my 20 years with the Mercer
20 County Prosecutor's Office I have participated
21 in and hosted hundreds of community forums,
22 outreach events, and community engagement
23 activities. At these community forum events
24 and engagement activities, I have interacted
25 with numerous undocumented persons and listened

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1 gets rescinded that that's going to perpetuate
2 a little more distrust and I do think we're
3 going to have to continue to do the forums and
4 things along those lines in order to build that
5 trust up again.

6 MR. BIGGS: Can I get the
7 question read back.

8

- - -

9 (Whereupon, a portion of the
10 testimony was read back.)

11

- - -

12 MR. HOLLANDER: I object to
13 answering it a second time.

14 But you can.

15 THE WITNESS: No. For the
16 reasons in the long answer.

17 BY MR. BIGGS:

18 Q. And the "no" is what I was looking
19 for.

20 And would the rescission of DACA
21 make U visas unavailable for victims of crimes?

22 A. No. Nor material witnesses.

23 Q. Would the rescission of DACA
24 eliminate the use of T visas by your office?

25 A. No, I don't believe it would. That's

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1 Firsthand knowledge, as you sit
2 here today based on firsthand knowledge alone,
3 can you tell me conclusively that one DACA
4 recipient lives in Mercer County?

5 MR. HOLLANDER: Objection.

6 THE WITNESS: No, I can't.

7 BY MR. BIGGS:

8 Q. You mentioned earlier the increase in
9 safety you believe DACA provides. Do you
10 believe that your office would be justified in
11 ignoring the law if it made public safety
12 slightly stronger?

13 MR. HOLLANDER: Objection.

14 THE WITNESS: Which law are we
15 talking about?

16 BY MR. BIGGS:

17 Q. Any law. Hypothetical law X.

18 A. No, we have to follow the law.

19 Q. You have to follow the law even if it
20 makes public safety slightly stronger, correct?

21 MR. HOLLANDER: Objection.

22 THE WITNESS: If it makes it
23 slightly stronger?

24 BY MR. BIGGS:

25 Q. Yes.

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1 A. We have to follow the law.

2 Q. Let me reask the question. I'll
3 clarify. I think I asked it poorly there.

4 So if ignoring a law in your
5 opinion would slightly increase public safety,
6 would you believe it is appropriate to ignore
7 that law for that purpose?

8 MR. HOLLANDER: Objection.

9 THE WITNESS: No. I don't think
10 it would be appropriate to ignore it.

11 MR. BIGGS: Let's take, like, a
12 five-minute break and I think I could
13 probably pass the witness, if that's all
14 right?

15 MR. HOLLANDER: Sure. So we're
16 off the record.

17 - - -

18 (Whereupon, a short recess
19 was taken.)

20 - - -

21 BY MR. BIGGS:

22 Q. Let's finish up really quickly.

23 A. Sure.

24 Q. We're back on the record. And so, I
25 just want to kind of clean up with a few kind

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1 CERTIFICATE

2 I HEREBY CERTIFY that the
3 proceedings, evidence and objections are
4 contained fully and accurately in the
5 stenographic notes taken by me upon the
6 deposition of ANGELO J. ONOFRI, ESQUIRE
7 taken on June 25, 2018, and that this is a
8 true and correct transcript of same.

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Jennifer Miller, RPR, CCR, CRR
and Notary Public

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